

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
Plaintiff,

v.

JOSE SERRANO,  
Defendant.

No. CR 07-0212 WHA

**ORDER RE DEFENDANT'S  
MOTION FOR REDUCTION  
OF SENTENCE UNDER  
AMENDMENT 782**

Defendant Jose Serrano moves, pro se, for a reduction of his sentence under 18 U.S.C. 3582(c)(2) and Amendment 782 to the Sentencing Guidelines. The United States Probation Office has submitted a report in opposition, stating that defendant is not eligible for a lower sentence.

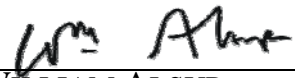
Amendment 782 to the United States Sentencing Guidelines, effective November 1, 2014, reduces the penalties for most drug offenses by reducing most offense levels. This amendment may be applied retroactively to reduce the sentences of previously sentenced inmates under 18 U.S.C. 3582(c)(2). Amendment 782 does not authorize, however, reductions in sentences when the offender's total offense level was determined pursuant to the career offender provisions of USSG 4B1.1.

In July 2007, a jury convicted defendant Jose Serrano of possession with intent to distribute crack cocaine in violation of 21 U.S.C. 841(a)(1), 841(b)(1)(C), and 851. In

1 November, he was sentenced to 204 months of incarceration based on his status as a career  
2 offender. Accordingly, defendant is not eligible for a sentence reduction and his motion is  
3 **DENIED.**

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5 **IT IS SO ORDERED.**

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7 Dated: February 1, 2016.

  
8 WILLIAM ALSUP  
9 UNITED STATES DISTRICT JUDGE  
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